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REMARKS

The application has been reviewed in light of the Office Action dated November 15, 2007. Claims 1-7 were pending. By this Amendment, new claims 8-11 have been added. Accordingly, claims 1-11 are now pending, with claims 1, 4 and 7 being in independent form.

Claims 1-7 were rejected under 35 U.S.C. § 102(e) as purportedly anticipated by Kawabata et al. (US 2004/0057568 A1).

Applicant has carefully considered the Examiner's comments and the cited art, and respectfully submits that independent claims 1, 4 and 7 are patentable over the cited art, for at least the following reasons.

This application relates to improvements devised by applicant to facilitate accurate and efficient facsimile transmission while obtaining accurate reception capacity information of each transmission destination. The reception capacity of each transmission destination is stored, together with the mail address, in a destination information memory of the apparatus. When facsimile transmission accompanied by a delivery confirmation request is carried out, a controller of the facsimile apparatus causes information indicating the transmission mode to be stored in a transmission mode memory. If delivery confirmation mail from the transmission destination contains reception capacity information, the controller causes the reception capacity information to be stored in the destination information memory as the reception capacity information of the transmission destination. If the delivery confirmation mail does not contain reception capacity information but confirms that the communication has been properly completed, the transmission mode information already stored in the transmission mode memory is stored as a transmission enabling mode of the transmission destination in the destination information memory. Each of independent claims 1, 4 and 7 addresses these features, as well as

additional features.

Kawabata, as understood by Applicant, proposes a communications terminal unit configured to automatically determine whether to originate a call over an IP network or over a public switched telephone network, in accordance with call destination specification information input at the time of origination of a call. To determine whether to originate a call over an IP network or a public telephone network, the communications terminal unit analyzes a destination number which is assigned to a communications terminal unit at a receiving end, and input at the time of origination of a call as well as selected network setting information stored in a selected network setting storage section.

Kawabata, [0045] through [0050] (reproduced below), was cited in the Office Action:

> [0045] As shown in FIG. 3, the system control section 18 has a call destination specification information analysis section 181, a call origination network determination section 183, and a selected network setting information storage section 185.
>
> [0046] The call destination specification information analysis section 181 *analyzes a destination number of the communications terminal unit at the other end entered by way of the operation/display section 12 at the time of origination of a call.*
>
> [0047] *On the basis of a result of analysis of the destination number performed by the call destination specification information analysis section 181, the call origination network determination section 183 automatically determines whether to originate a call over the IP network 40 or the public network 50,* by reference to the selected network setting information stored in the selected network setting information storage section 185 and the analyzed destination number.
>
> [0048] The selected network setting information storage section 185 stores selected network setting information required for the call origination network determination section 183 to automatically determine whether to originate a call over the IP network 40 or over the public network 50.
>
> [0049] In the present embodiment, the call origination network determination section 183 functions as a call destination specification information analysis section for analyzing the call destination specification information inputted by the call destination specification information section.
>
> [0050] Also, in the present embodiment, the selected network setting information storage section 185 functions as a storage section for *storing an information indicating whether to originate a call over the IP network or over the public switched telephone network in accordance with the call destination*

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specification information.

Thus, Kawabata proposes analyzing a destination number entered at the time of origination of a call, and on the basis of a result of the analysis, automatically determining whether to originate a call over the IP network or the public network and storing such information.

However, the approach proposed by Kawabata does not include (1) *a delivery confirmation request* accompanying the facsimile transmission, (2) controlling a destination information memory to store reception capacity information that is contained in *a delivery confirmation mail* from the selected transmission destination, and (3) causing the destination information memory to store the transmission mode, already stored in the transmission mode memory, as a transmission enabling mode of the selected transmission destination *when the delivery confirmation mail does not contain the reception capacity information but confirms that the communication has been properly completed*, as provided by the subject matter of claim 1 of the present application.

Independent claims 4 and 7 are patentably distinct from the cited art for at least similar reasons.

Accordingly, for at least the above-stated reasons, Applicant respectfully submits that independent claims 1, 4 and 7, and the claims depending therefrom, are patentable over the cited art.

In view of the amendments to the claims and remarks hereinabove, Applicant submits that the application is now in condition for allowance. Accordingly, Applicant earnestly solicits the allowance of the application.

If a petition for an extension of time is required to make this response timely, this paper

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should be considered to be such a petition. The Patent Office is hereby authorized to charge any

fees that are required in connection with this amendment and to credit any overpayment to our

Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner

is respectfully requested to call the undersigned attorney.

Respectfully submitted,

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